

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ANTONIO FORREST
Plaintiff,

v.

**WILLIAMSON COUNTY JAIL
ADMINISTRATION**
Defendants.

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No. 3:10-cv-0728
(No. 3:10-mc-0082)
Judge Echols

ORDER

On June 11, 2010, an Order (Docket Entry No. 2) was entered granting the plaintiff thirty (30) days in which to either pay the requisite filing fee or provide a properly completed application to proceed in forma pauperis. At that time, the plaintiff was forewarned that, in the event he failed to comply with these instructions within the specified period of time, the complaint would be filed, the filing fee would be assessed against him and collected from his inmate trust account, and this action would be dismissed.

The thirty day period has expired and the plaintiff has not yet complied with the instructions of the Court. Accordingly, the Clerk is directed to file the complaint. The plaintiff is herewith ASSESSED the civil filing fee of \$350.00. Pursuant to 28 U.S.C. § 1915(b)(1)(A) and (B), the custodian of the plaintiff's inmate trust account at the institution where he now resides is directed to submit to the Clerk of Court, as an initial partial payment, whichever is greater of:

(a) twenty percent (20%) of the average monthly deposits to the plaintiff's inmate trust account; **or**

(b) twenty percent (20%) of the average monthly balance in the plaintiff's inmate trust account for the prior six (6) months.

Thereafter, the custodian shall submit twenty percent (20%) of the plaintiff's preceding monthly income (or income credited to the plaintiff's trust account for the preceding month), but only when such monthly income exceeds ten dollars (\$10.00), until the full filing fee has been paid to the Clerk of Court. 28 U.S.C. § 1915(b)(2).

This action is hereby DISMISSED for failure to comply with the instructions of the Court and for want of prosecution. Rule 41(b), Fed. R. Civ. P. The Clerk is directed to send a copy of this Order to the Sheriff of Montgomery County to insure that the custodian of plaintiff's inmate trust account complies with that portion of the Prison Litigation Reform Act relating to the payment of the filing fee.

Entry of this Order shall constitute the final judgment in this case.

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", written over a horizontal line.

Robert L. Echols
United States District Judge